

DECLARATION UNDER 37 C.F.R. 1.131 / Patrick S. Cunningham  
SERIAL NO: 09/777,353

## EXHIBIT D

*GUST*  
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Date: November 30, 2000

Original Mailed:  Yes  No

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FILE NO: 015888-10002

MATTER: PSC

FROM: John L. Hay

PAGES (including Cover): 1

ATTACHMENTS: none

10:00  
Munday  
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COMMENTS: The patent lawyer we recommend is Louis J. Hoffman, phone 480.948.3295. His address is 14614 North Kierland Blvd, Suite 300, Scottsdale 85254. I will have a memo to you on the confidentiality agreement as quickly as possible.